

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

WILSON L. CLOW JR.,

Plaintiff,

Case No. 1:12-cv-149-CL

v.

GRANTS PASS PUBLIC SAFETY
OFFICER J. MOORE, et al.,

ORDER

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, the district court makes a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Here, plaintiff objects to the Report and Recommendation, so I have reviewed this matter de novo. I agree with Magistrate Judge Clarke that the defendant police officer had probable cause to issue the citation to plaintiff. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#53) is adopted. The City of Grants Pass defendants' motion for summary judgment (#26) is granted and plaintiff's motions for summary judgment (#34, #43) are denied.

IT IS SO ORDERED.

DATED this 21²¹ day of August, 2012.



OWEN M. PANNER
U.S. DISTRICT JUDGE